

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

In re:

HUY-YING CHEN,

Debtor(s).

CASE NO. 2:22-cv-982

Bankruptcy No. 22-10615-CMA

Internal Appeal No. 22-S004

HUY-YING CHEN,

Defendant/Appellant,

v.

THE BANK OF NEW YORK MELLON

TRUST COMPANY NA,

Plaintiff(s)/Appellee(s).

ORDER OF DISMISSAL

On July 15, 2022, this bankruptcy appeal was transferred from the United States Bankruptcy Appellate Panel to District Court. Dkt. No. 1. On August 31, 2023, the Court set the following briefing schedule: Appellant Brief due by October 11, 2022; Appellee Response Brief due by November 10, 2022; and Appellant Reply Brief due November 25, 2022. Dkt. No. 7. Appellant Huy-Ying Chen has not filed a brief.

On May 15, 2023, the Court ordered Appellant Huy-Ying Chen to show cause why this bankruptcy appeal should not be dismissed under Fed. R. Civ. P. and Local Civil Rule 41(b) for

1 failure to prosecute. Dkt. No. 9 at 1. The Court warned Appellant that if he failed to respond by
2 June 1, 2023, it would dismiss this action without prejudice and without further notice. *Id.* To
3 date, Appellant Huy-Ying Chen has not responded to the Court's order to show cause.

4 Accordingly, the Court DISMISSES this case without prejudice.

5 Dated this 30th day of June, 2023.

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8 Jamal N. Whitehead
9 United States District Judge
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